

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware corporation; AMAZON.COM SERVICES LLC, a Delaware limited liability company; FELCO SA, a Swiss corporation; FLISCH HOLDING SA, a Swiss corporation; and PYGAR USA, INC., a Washington corporation,

Plaintiffs,

V.

THI TUYEN NGUYEN, an individual; PHAM DUC LONG, an individual; HIEN NGUYEN TRONG, an individual; NGO VAN QUYET, an individual; VU VIET BAO, an individual; MANH VU VAN, an individual; VAN HOANG TUONG, an individual; THO PHAM HIEU, an individual; TAI NGO, an individual; AI GAI VU, an individual; DO QUANG DAT, an individual; POLINA VOLKOVA, an individual; MINH DUC PHAM, an individual; and PHAT HUA TAN, an individuals.

Defendants.

No. 2:22-cv-01506-JHC

ORDER GRANTING PLAINTIFFS' *EX PARTE* MOTION FOR DEFAULT JUDGMENT AND PERMANENT INJUNCTION AGAINST DEFENDANTS DO QUANG DAT; HIEN NGUYEN TRONG; PHAM DUC LONG; MINH DUC PHAM; AND PHAT HUA TAN

THIS MATTER comes before the Court on the *Ex Parte* Motion for Default Judgment and Permanent Injunction (the “Motion”) brought by Plaintiffs Amazon.com, Inc., Amazon.com Services LLC (together, “Amazon”), Felco SA, Flisch Holding SA (“Flisch Holding”), and Pygar USA, Inc. (collectively, the “Felco Plaintiffs,” and with Amazon, “Plaintiffs”) against

**ORDER GRANTING PLAINTIFFS'
EX PARTE MOTION FOR DEFAULT JUDGMENT
AND PERMANENT INJUNCTION - 1
(2:22-cv-01506-JHC)**

1 Defendants Do Quang Dat, Hien Nguyen Trong, Pham Duc Long, Minh Duc Pham, and Phat
 2 Hua Tan. Dkt. # 53.

3 The Court, having considered Plaintiffs' Motion, this matter's files and records, the
 4 governing law, and being fully advised, finds that Plaintiffs have established the liability of
 5 Defendants and their entitlement to damages and permanent injunction. For the reasons
 6 presented by Plaintiffs, Defendants are in default; the Court has jurisdiction; the Second
 7 Amended Complaint establishes Defendants' liability; the factors of *Eitel v. McCool*, 782 F.2d
 8 1470 (9th Cir. 1986), favor default judgment; and Plaintiffs seek appropriate relief. Thus, the
 9 Court GRANTS the motion.

10 Accordingly, the Court ORDERS:

11 1. Plaintiffs' Motion is GRANTED and JUDGMENT is entered against all
 12 Defendants on Flisch Holding's cause of action for Trademark Counterfeiting and Trademark
 13 Infringement (15 U.S.C. § 1114), Plaintiffs' causes of action for False Designation of Origin (15
 14 U.S.C. § 1125(a)), and Plaintiffs' cause of action for Violation of the Washington Consumer
 15 Protection Act (RCW 19.86.010, *et seq*).

16 2. The Court awards Flisch Holding statutory damages in the amount of \$954,714
 17 based on Defendants' willful violations of the Lanham Act, as follows:

18 a. An award of \$241,308 against Defendant Hien Nguyen Trong for counterfeit
 19 sales from the following Selling Accounts: (1) Chaussebackin; (2) Desellmid;
 20 (3) Lashicor; (4) HlavShop; (5) Nurykulesot; (6) Rotillbert;
 21 (7) SaczhamaStore; (8) Santiago Alconero Ruiz; (9) SloniecDanutaShop; and
 22 (10) Victorino Oliveira Solis12;

23 b. An award of \$637,713 against Defendants Hien Nguyen Trong, Minh Duc
 24 Pham, and Phat Hua Tan, jointly and severally, for counterfeit sales from the
 25 following Selling Accounts: (1) Bestauto PPV; (2) Bonnies; (3) Camelian;
 26 (4) Canivatio Deciga; (5) Cenkom Galaxy; (6) Daesjc Group; (7) Duvsovir;

1 (8) Fabacor Alsukeo; (9) Heccarimer; (10) Herritage Bali; (11) Jun PVP;
2 (12) Kemmate Casacen; (13) Kennen Cokaraco; (14) KingBShop;
3 (15) Lacoda Bancos; (16) LeparleoHoutonpacia; (17) Lexiaca Barragain;
4 (18) Loyscialbarcerager; (19) MiniP; (20) Pampara Raizy; (21) Sircia Lubaza;
5 (22) SPUP ULL; and (23) Titcustorm;

- 6 c. An award of \$2,394 against Defendants Hien Nguyen Trong, Pham Duc Long,
7 Minh Duc Pham, and Phat Hua Tan, jointly and severally, for counterfeit sales
8 from the following Selling Account: Cenxalist Cevana;
9 d. An award of \$55,164 against Defendants Hien Nguyen Trong and Minh Duc
10 Pham, jointly and severally, for counterfeit sales from the following Selling
11 Accounts: (1) HlafotStore and (2) Lok Hin Lam 123;
12 e. An award of \$18,135 against Defendants Do Quang Dat and Minh Duc Pham,
13 jointly and severally, for counterfeit sales from the following Selling Account:
14 Thibault St.

15 3. Defendants and their officers, agents, servants, employees, and attorneys, and all
16 others in active concert or participation with them who receive actual notice of the order, are
17 hereby permanently ENJOINED AND RESTRAINED from:

- 18 a. selling counterfeit or infringing products in Amazon's stores;
19 b. selling counterfeit or infringing products to Amazon or any Amazon affiliate;
20 c. importing, manufacturing, producing, distributing, circulating, offering to sell,
21 selling, promoting, or displaying any product or service using any simulation,
22 reproduction, counterfeit, copy, or colorable imitation of the Felco Plaintiffs'
23 brand or Flisch Holding's trademarks, or which otherwise infringes the Felco
24 Plaintiffs' intellectual property, in any store or in any medium; and

1 d. assisting, aiding, or abetting any other person or business entity in engaging in
2 or performing any of the activities referred to in subparagraphs (a) through (c)
3 above.

4 4. The Court hereby retains jurisdiction over this case for the purpose of enforcing
5 this Order and Injunction and for any supplemental proceedings that may be authorized by law.

6 5. Plaintiffs' counsel is hereby directed to provide notice of this Order and
7 Injunction on Defendants via email as approved by the Court in its prior order for alternative
8 service (Dkt. 46).

9 SO ORDERED this 18th day of March, 2025.

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11 John H. Chun
12 JOHN H. CHUN
13 UNITED STATES DISTRICT JUDGE
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ORDER GRANTING PLAINTIFFS'
EX PARTE MOTION FOR DEFAULT JUDGMENT
AND PERMANENT INJUNCTION - 4
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